

Minutes of the Maine Real Estate Commission

May 21, 2015

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Adam Shub, Chairman	Karen Bivins, Director
David Kitchen	Robert Perkins, Assistant Attorney General
Donald Plourde	Jeffrey Hill, Deputy Director
Joan Chrane	Bruce Osborne, Field Investigator
Cathy Manchester	Catherine Pendergast, Education Coordinator
<u>MEMBERS ABSENT</u>	Kim Baker, Office Specialist I
None	Deborah Fales, Office Specialist I

Location: Androscoggin Room **Start:** 9:04 a.m. **Adjourn:** 10:20 a.m.

Agenda Modifications

A motion was made by Chrane and seconded by Kitchen to add the following to the agenda: Proposed Consent Agreement in case numbers 2015-REC-11028, 2015-REC-11029, 2015-REC-11107, and 2015-REC-11134; Proposed Dismissals in case numbers 2014-REC-10327 and 2014-REC-10420; and discussion regarding the associate broker course requirement specific to the Field Experience Form. Unanimous.

Commission Minutes

A motion was made by Kitchen and seconded by Plourde to approve the minutes of the April 30, 2015. Manchester abstained; Chrane, Kitchen, Plourde and Shub voted in the affirmative. Motion carried.

Hearings

Commission Chair Adam Shub opened the hearing at 9:34 a.m. in the matter of **Director v. Philip M. Allen, Jr.** Mr. Allen was present and was not represented by an attorney. The Director was present and represented by Assistant Attorney General Robert Perkins. Public deliberations were conducted at the close of the hearing.

A motion was made by Kitchen and seconded by Plourde to find Allen in violation of 10 M.R.S.A §8003(5-A)(A)(4) & (5); 32 M.R.S.A. §13197 (3); and Commission Rule Chapter 370 Section 10(A). Unanimous.

A motion was made by Kitchen and seconded by Plourde to accept the completion certificate dated 04/29/2015 for the course, "Core Course for Brokers and Associate Brokers – I", to fulfill the continuing education requirements for the license renewed on 03/04/2015. This course may not be used for the next license renewal. Additionally, a fine of \$500 was imposed and is payable within 30 days. Unanimous.

Decisions And Orders

A motion was made by Kitchen and seconded by Plourde to accept the Decision and Order as written in the case of the Director v. Julie Bassett Schwerin. Shub and Manchester abstained; Chrane, Kitchen and Plourde voted in the affirmative; Motion carried.

Proposed Consent Agreements and Dismissals

Shub recused and left the room.

A motion was made by Chrane and seconded by Kitchen to accept the Proposed Dismissal in case number: 2014-REC-10420. Chrane, Plourde, Kitchen and Manchester voted in the affirmative. Shub recused. Motion carried.

Shub returned to the room.

A motion was made by Kitchen and seconded by Plourde to accept the Proposed Dismissal in case number: 2014-REC-10327. Unanimous.

A motion was made by Plourde and seconded by Chrane to accept the Proposed Consent Agreements in case numbers: 2015-REC-10835, 2015-REC-11055, 2015-REC-11028, 2015-REC-11029, 2015-REC-11107, and 2015-REC-11134. Unanimous.

Request for Extension

None.

Director's Report

The Board discussed the U.S. Supreme Court Decision: North Carolina Dental Board and memo from Maine Attorney General's Office.

The Board discussed the Associate Broker Course Requirement and the Documented Field Experience Form and possible avenues of completion when a sales agent license has expired and the licensee is no longer affiliated with a designated broker.

Meeting Dates

The next meeting is scheduled for Thursday, June 18, 2015.

Adjournment

The meeting adjourned at 10:20 a.m.

This report respectfully submitted,
Kim Baker, Office Specialist I